

City of Seattle
COMPREHENSIVE PLAN AMENDMENT APPLICATION

Use this application to propose a change in the policies, future land use map, appendices, or other components of the adopted City of Seattle Comprehensive Plan. Applications are due to the Seattle City Council no later than **5:00 p.m. on May 15th** for consideration in the next annual review cycle. Any proposals received after May 15th will be considered in the review process for the following year.

(Please Print or Type)

Date: **May 7, 2013**

Applicant: **4000 Property LLC**

Contact person (if not the applicant): **Brent Carson, Partner, Van Ness Feldman GordonDerr; David Van Skike, Planner, Van Ness Feldman GordonDerr**

Mailing Address: **719 2nd Avenue, Suite 1150**

City: **Seattle** State: **WA** Zip: **98104** Phone: **206-623-9372**

Email: **brc@vnf.com; dvs@vnf.com**

Name of general area, location, or site that would be affected by this proposed change in text (attach additional sheets if necessary).


Property owned by 4000 Property LLC; King County Tax Parcel 152504-9010. See Map A.

If the application is approved for further consideration by the City Council, the applicant may be required to submit a State Environmental Policy Act (SEPA) checklist.

Acceptance of this application does not guarantee final approval.

Applicant

Signature: _____

 **V. Skike, President**

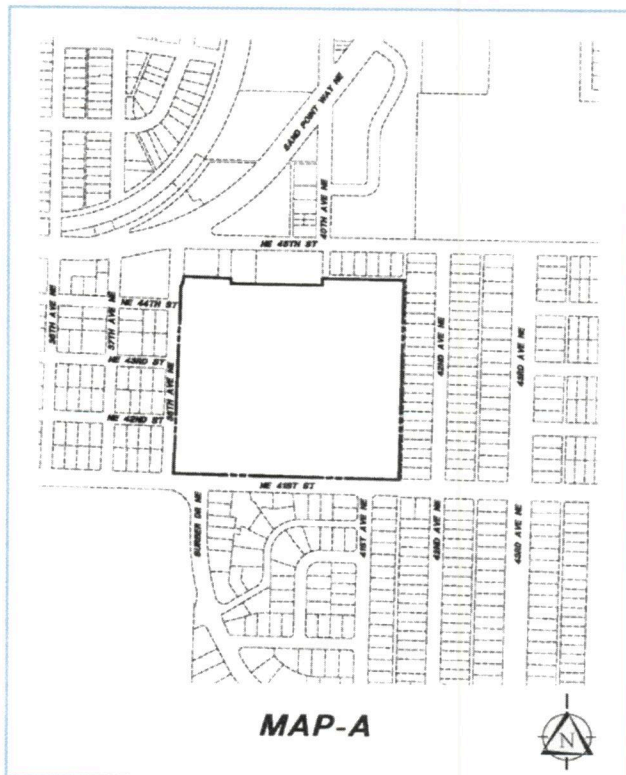
Date: May 10, 2013

REQUIRED QUESTIONNAIRE: Comprehensive Plan Amendment Application

Please answer the following questions in text and attach them to the application. Supporting maps or graphics may be included. Please answer all questions separately and reference the question number in your answer. The Council will consider an application incomplete unless all the questions are answered. When proposing an amendment, you must show that a change to the Comprehensive Plan is required.

1. Provide a detailed description of the proposed amendment and a clear statement of what the proposed amendment is intended to accomplish. Include the name(s) of the Comprehensive Plan Element(s) (Land Use, Transportation, etc) you propose to amend.
 - a. If the amendment is to an existing Comprehensive Plan goal or policy, and you have specific language you would like to be considered, please show proposed amendments in "line in/line out" format with text to be added indicated by underlining, and text to be deleted indicated with ~~strikeouts~~.
 - b. If the proposed amendment would also require a change to the Seattle Municipal Code (SMC), please indicate the SMC section(s) needing amendment. If you have specific language you would like to be considered, please show proposed edits to the SMC in "line in/line out" format as described above.
 - c. If the amendment is to the Future Land Use Map, please provide a map that clearly outlines the area proposed to be changed.

This amendment would revise the Future Land Use Map designation of the property owned by 4000 Property LLC from Single Family to Multi-Family. The area in question as shown on the attached Map A depicted below.



A companion proposal to amend the Land Use Code's single family rezone criteria for this site has been filed with the Department of Planning and Development. See Attachment A. The proposed text amendment would read as follows:

SMC 23.34.010 Designation of single-family zones

- D. Areas zoned single-family within the map area shown as Map A for Section SMC 23.34.010, that consist of one or more lots and meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 may be rezoned through a contract rezone and concurrent development agreement to multifamily and/or neighborhood commercial zones if the Comprehensive Plan Future Land Use Map designation is a designation other than Single Family and the proposed development preserves significant areas of open space and reasonable public access.**
- E. The proposed development agreement may set forth development standards that vary from otherwise applicable development regulations, subject to the following limitations:**
 - 1. Any additional structure height allowed may not exceed a base height limit of 47 feet. Uses prohibited in the underlying zone shall not be permitted;**

Together, adoption of the Future Land Use Map amendment and the text amendment would allow 4000 Property LLC to request a contract rezone of its property and a development agreement to implement a Low Impact Residential project that has been discussed with the city and the community for the past year. The Low Impact Residential project would develop between 250 and 333 new multifamily units and 8 single family residences. The apartments would provide housing for a mix of incomes and would be built on existing foundations and on new foundations tucked near existing trees to provide effective screening. The bulk of the site would be preserved in publicly accessible open space.

2. Describe how the issue is currently addressed in the Comprehensive Plan. If the issue is not adequately addressed, describe the need for it.

The site in question is designated Single Family on the Future Land Use Map of the Comprehensive Plan. The site is zoned Single Family 5000 (SF 5000). However, this unique 18-acre site has never been platted for Single Family use. Rather, it has been used as a non-conforming Institute for Advanced Study.

The site was originally developed by Battelle Memorial Research Institute in the 1960s as a research facility. 4000 Property LLC purchased the site in 2000 to house the Talaris Research Institute, which conducted research on early childhood development. In 2011, the Talaris Research Institute completed its research and the intellectual property was sold. A modest conference center use remains on the site.

4000 Property LLC has been looking for a long-term sustainable use for this property. The owner worked with philanthropic advisors and commercial real estate brokers to

find another non-profit user but was unsuccessful. The code prohibitions on expansion of these uses, parking limitations, and the limited size of the facility, make the property uncompetitive for non-profit research tenants.

The owner could develop the site with a single family plat, as allowed under existing zoning. As described in a 2004 Environmental Impact Statement, the property could be redeveloped into 90 Single Family lots. The site would require mass grading and excavation. Most of the mature trees and landscaping would be removed. Such a plat would eliminate the publicly accessible open space that has been valued by the community. The resulting development pattern would match much of the nearby blocks in Laurelhurst. The single family homes in this plat, like other homes in Laurelhurst, would be priced for upper income individuals.

4000 Property prefers redevelopment of the site based on its Low Impact Residential plan. That plan requires multifamily zoning for the site. Given the Single Family designation on the Future Land Use Map and LU59, such a rezone would be precluded. By amending the designation to Multifamily and by approving the companion Land Use Code text amendment, the City Council would provide the owner with the opportunity to apply for a contract rezone and development agreement seeking to implement the Low Impact Residential development option.

3. Describe why the proposed change meets the criteria adopted in Resolution 30662 for considering an amendment to the Comprehensive Plan. The criteria are listed at the end of this application form. Is a Comprehensive Plan amendment the best means for meeting the identified public need? What other options are there for meeting the identified public need?

A full response to the criteria in Resolution 30662 is provided below. The Future Land Use Map amendment is needed to allow a multifamily rezone of the site in order to achieve the Low Impact Residential development option.

4. What do you anticipate will be the impacts caused by the change in text, including the geographic area affected and the issues presented? Why will the proposed change result in a net benefit to the community?

The primary effect of the map change from Single Family to Multifamily is procedural. Under the proposed Future Land Use Map amendment and proposed Land Use Code text amendment, future redevelopment of the site to multifamily as outlined below, would only occur with approval of a concurrent contract rezone and development agreement.

Whether or not this map amendment and subsequent rezone are granted, the site will be redeveloped. 4000 Property has evaluated two viable options for that redevelopment, one would conform to the current land use designation and zoning, the preferred option requires a rezone. The rezone requires a Future Land Use Map amendment and the Land Use Code text amendment.

The impacts from the proposed amendment can best be explained by first examining the impacts from the Single Family Development Option.

Single Family Development Option

As noted above, the 2004 FEIS examined impacts from redevelopment of the property into 90 Single Family lots conforming to the existing single family zoning standards. The site would require mass grading and excavation. Most of the mature trees and landscaping, including the iconic ponds and fountains, would be removed. The resulting development pattern would match much of the nearby blocks in Laurelhurst. A conceptual site plan for this option is presented below.



Preferred Low Impact Residential Option

The requested Land Use Map Amendment, text amendment and subsequent contract rezone and development agreement would allow for a sustainable redevelopment of the site. The Low Impact Residential alternative would re-use existing foundations and preserve the bulk of the site's existing open space. This option would yield between 250 and 333 market rate apartment and townhouse units and a short plat for 8 single family residences along NE 41th Street. A conceptual site plan for this option is presented below.



The final size and distribution of multifamily units is not yet determined but apartments as small as 330 square feet and as large as 1500 feet would be available. Smaller units could rent for less than \$1,000 while larger penthouse units could rent for up to \$4,000. As such, this new neighborhood would offer housing for a mix of incomes with many units targeted at the local workforce housing market and individuals wishing to downsize from larger homes later in life. The primary objectives for this development plan are:

- **Maintain the extensive open space and mature landscaping to preserve its natural beauty and to enhance walkability of the neighborhood.**
- **Provide a housing option for residents seeking to downsize, for employees wanting to be part of a walkable community, and for young families wanting to raise children in a safe and vibrant neighborhood.**
- **Make use of advanced conservation technology that would substantially conserve energy and natural resources.**
- **Make use of a substantial portion of the siding, beams and framing materials from the older structures repurposed into the new structures.**
- **Maximize retention of mature trees and native plants.**
- **Minimize new building footprints and impervious surfaces.**

The goal would be to use virtually all of the existing infrastructure including building foundations, drainage, utilities, and roadways to minimize excavation and grading. Only minimal earthwork will be required for new building foundations in strategic locations. Coordinating redevelopment with the existing buildings along the NE 45th Street corridor would focus use intensity and vehicular access and parking at the northern edge of the property. Approximately 86% of the existing trees would remain intact with new residential buildings tucked into the mature tree canopy. Clear cedar building materials would be reclaimed and reused.

The Low Impact Residential option, made possible by the proposed Amendment, has a clear net benefit to the broader community because it would preserve open space, provide affordable and innovative housing and would allow the site to remain largely intact. If the map amendment were not granted, the site would be developed with a single family plat.

5. How would the proposed change comply with the community vision statements, goals, objectives, and policies of the Comprehensive Plan? Please include any data, research, or reasoning that supports the proposed amendments.

Response:

The property is not located in an area with an adopted neighborhood plan.

The proposal would further several objectives and policies of the Comprehensive Plan.

LUG11 Encourage the development and retention of a diversity of multifamily housing types to meet the diverse needs of Seattle's present and future populations.

The amendment would support development of a mixed income multifamily community while preserving much of the site in publicly accessible open space.

LUG12 Promote a residential development pattern consistent with the urban village strategy, with increased availability of housing at densities that promote walking and transit use near employment concentrations, residential services and amenities.

The property proposed for this map amendment, like many sites with multifamily zoning, lies just outside of an Urban Village. The site is within walking distance to both Children's Hospital and the University of Washington, both major employment centers. The site would be interconnected with the commercial district along NE 45th Street. Increasing density on this site can provide greater opportunities for improved pedestrian, transit and Link Light Rail connections.

LU59 Permit up zones of land designated single-family and meeting single-family rezone criteria, only when all of the following conditions are met...

LU 59 provides limitations for rezoning land that is designated on the future land use map of the Comprehensive Plan for single family use. However, LU 59 does not limit the City Council's ability to revise the future land use map in order to redesignate property from single family to multifamily use. Once property is designated on the future land use map as multifamily, the rezone limitations of LU 59 no longer apply to that property. If there were any question as to the meaning of LU 59 we would recommend that the City Council clarify the language in this policy by revising "designated single family" to "designated single family on the future land use map" in order to confirm that LU 59 is not intended to limit the City Council's authority under GMA to make Land Use Map Amendments and thereafter consider rezoning consistent with the future land use map.

LU72 Maintain a variety of multifamily zoning classifications to permit development at low, moderate and high densities with a variety of scales and configurations appropriate to the specific conditions and development objectives of different areas within the city.

As described above, the site conditions in this case are unique. The map amendment would allow residential development at increased density but in a manner sensitive to surrounding single family homes.

LUG14 Create transitions in development intensity between single-family zones and more intensive multifamily or commercial areas.

As described in the response to LUG 12, the reuse of existing foundations along the northern central portions of the site means that the multifamily uses will be buffered from the south, east and west by existing landscaping and vegetation and will transition to the commercial and existing Multifamily zoning located along the northern border of the site.

LU92 Establish a range of low-density multifamily zones to accommodate a range of housing choices that

- *Provide opportunities for multifamily infill development compatible with surrounding zones;*

The map amendment would allow for a very compact redevelopment that, due to the configuration of the existing lot and surrounding topography and landscaping, would be well buffered from adjacent single family homes.

- *Allow for densities and building types that encourage both new construction and the conversion of existing structures; and*

As described above, the redevelopment that would be allowed by a future rezone would take advantage of the existing foundations to convert the existing developed footprints to residential. The site would be left largely in its current state. The future rezone would result in significantly less development coverage than the alternative single family plat option while providing more residential units and apartments for individuals and families with a broader range of incomes.

- *Provide for multifamily development where units have direct access to residential amenities, which may include ground-level open space, to increase opportunities for families with children.*

By preserving the existing open space, the site would be providing a very unique community setting with an abundance of open space for passive use. While the unit count and breakdown is not yet known, it is likely that some units would be of a size and type to support young families with children.

HG4 Achieve a mix of housing types that are attractive and affordable to a diversity of ages, incomes, household types, household sizes, and cultural backgrounds.

This map amendment provides an opportunity for a true mixed income community, near several major employers including Children's Hospital and the University of Washington, in a setting that takes advantage of existing development without requiring major new infrastructure, mass grading or substantial vegetation removal. Although the final size and distribution of units under the Low Impact Residential option has not yet been determined, units as small as 330 square feet and as large as 1,500 feet would be available. Smaller units could rent for less than \$1,000 while larger penthouse units could rent for up to \$4,000. The single family alternative would not achieve this goal.

HG6 Encourage and support accessible design and housing strategies that provide seniors the opportunity to remain in their own neighborhood as their housing needs change

One of the challenges of many Seattle neighborhoods is the lack of housing into which seniors can transition into after selling their single family homes. The proposed development would allow for independent seniors to move from nearby single family areas into a multifamily setting in a neighborhood that is familiar to them.

E23 Achieve no net loss of tree canopy coverage, and strive to increase tree canopy coverage to 40 percent, to reduce storm runoff, absorb air pollutants, reduce noise, stabilize soil, provide habitat, and mitigate the heat island effect of developed areas

E22 Work to achieve a sustainable urban forest that contains a diverse mix of tree species and ages in order to use the forest's abilities to reduce storm water runoff and pollution, absorb air pollutants, provide wildlife habitat, absorb carbon dioxide, provide shade, stabilize soil, and increase property values.

The Amendment promotes achievement of these two policies. As noted above, a light touch redevelopment of the exiting building footprints would preserve much of the site as it is in its vegetated state. The Amendment would allow most of this unique 18 acre private site to be maintained in publicly accessible open space.

6. Is there public support for this proposed text amendments (i.e. have you conducted community meetings, etc.)? Note: The City will provide a public participation process, public notice, and environmental review for all applications.

The applicant has been engaged over the last year in an extensive community outreach effort. In February 2012, 4000 Property's consultants began an outreach effort to solicit input from the Laurelhurst Community Club and other stakeholders in the neighborhood. Four meetings were held with officers of the Club. A presentation was made at the Laurelhurst Community Club's November 5, 2012 general meeting. Neighbors of the site were invited to 9 community open houses to explain the plan and gather community input. Over 140 individuals from the community attended these meetings, some of which lasted four hours. The graphic boards that were used in the 9 meetings are attached as Attachment B. The community discussions are continuing. A mailed notice was recently sent to 1,580 residents in Laurelhurst inviting them to a series of topic-specific meetings. The first such meeting, a walking tour of the site where the location of proposed buildings were marked with paint and balloons, was attended by 35 individuals.

Based on the feedback received, we believe that this project can be supported by the majority of the surrounding community.

Criteria for Comprehensive Plan Amendment Selection (from Resolution 30662)

The following criteria will be used in determining which proposed Comprehensive Plan amendments will be given further consideration:

- A. The amendment or policy is appropriate for the Comprehensive Plan because:
 - The amendment is not appropriate as a regulatory measure, and warrants a Comprehensive Plan amendment;

The accompanying text amendment would not, in and of itself, allow for a rezone of the property. In this case, both a map amendment and rezone are warranted.

- The amendment is not better addressed as a budgetary or programmatic decision;

Not applicable.

- The amendment is not better addressed through another planning process, such as neighborhood planning; or

The development team has reviewed all other planning options. The neighborhood does not have a neighborhood plan. The Low Impact Residential option requires multifamily zoning. We have concluded that this can best be achieved by an amendment to the Future Land Use Map and the proposed Land Use Code text amendment.

- The Growth Management Act (GMA) mandates the amendment as part of the 10-year update.

Not applicable.

B. The amendment is legal - the amendment meets existing state and local laws.

The Amendment is legal. It is authorized by the Growth Management Act and the Seattle Municipal Code.

C. It is practical to consider the amendment because:

- The timing of the amendment is appropriate and Council will have sufficient information necessary to make an informed decision;

The property owner needs to move forward with redevelopment of the site. The owner will defer seeking single family development while this amendment and the companion text amendment are considered. The Council will have sufficient information to make an informed decision. Environmental review can occur now on the text amendment and address the potential impacts of that request and the request to amend the Future Land Use Map. Finally, approval of the Future Land Use Map amendment and the text amendment will not be the final decision on the project. These actions will allow the owner to seek a contract rezone and development agreement, which will also come before the City Council some time in 2014.

- City staff will be able to conduct sufficient analysis and to develop policy and any related development regulations within the available time frame;

See above

- The proposed amendment is consistent with the overall vision of the Comprehensive Plan and well-established Comprehensive Plan policy, or the Mayor or Council is interested in significantly changing existing policy;

As described above, the proposal is consistent with Comprehensive Plan policies that recognize the uniqueness of the site. While there are policies that protect existing single family neighborhoods, this site has never been developed as a single family site. This site also offers unique conditions that would allow the property to be adaptively re-used to meet the City's housing goals while preserving open space and trees.

- The amendment has not been recently rejected; and

Not applicable

- If the proposed change is to neighborhood plan policies, there has been a neighborhood review process to develop the proposal, or a neighborhood review process can be conducted prior to final Council consideration of the amendment.

This map amendment is not within an area covered by a neighborhood plan.

Attachment A

April 9, 2013

Diane Sugimura
Director
Department of Planning & Development
City of Seattle
PO Box 34019
Seattle, WA 98124-4019

Re: 4000 Property LLC – Application for Text Amendment

Dear Diane:

4000 Property LLC, owner of the former Talaris Institute site in Laurelhurst, is pleased to submit this request for a text amendment to the Seattle Land Use Code to modify the single-family rezone criteria. A companion request is being filed with the Seattle City Council to amend the Comprehensive Plan's Future Land Use Map for this property from Single Family to Multifamily. These two applications, if approved, will allow the owner to request a contract rezone of this site and a development agreement to implement the Low Impact Residential project that we have been discussing with you, your staff and the community for the past year. As you know, this development proposal, if approved, would preserve much of the property in publically accessible open space and provide needed housing to the City.

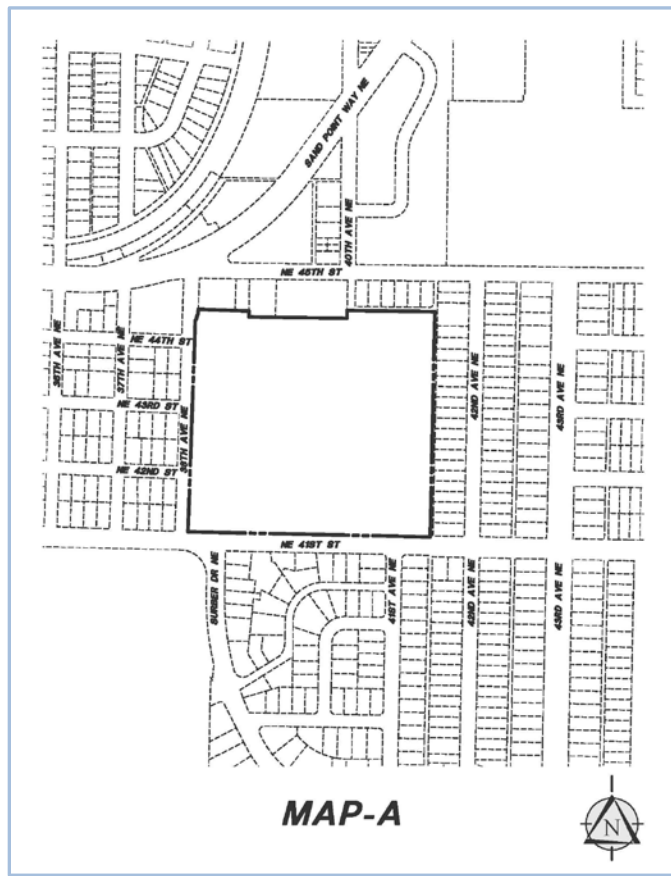
The Proposed Text Amendment Language

The proposed text amendment is provided below in strikethrough and underline format. This text amendment would add a new, specific exception to the single-family rezone criteria in SMC 23.34.010. As you can see, we are also proposing that the code allow this rezone only with a contract rezone and a concurrent development agreement pursuant to RCW 36.70B.170. The reasons for this are explained in detail below.

SMC 23.34.010 Designation of single-family zones

D. Areas zoned single-family within the map area shown at Map A for Section SMC 23.34.010, that consist of one or more lots and meet the criteria for single-family zoning contained in subsection B of Section 23.34.011 may be rezoned through a contract rezone and concurrent development agreement to multifamily and/or neighborhood commercial zones if the Comprehensive Plan Future Land Use Map designation is a designation other than Single Family and the proposed development preserves significant areas of open space with reasonable public access.

- E. The proposed development agreement may set forth development standards that vary from otherwise applicable development regulations, subject to the following limitations:
1. Any additional structure height allowed may not exceed a base height limit of 47 feet. Uses prohibited in the underlying zone shall not be permitted;



Background on Talaris Site

The property owned by 4000 Property LLC is a unique site. This 18-acre pastoral wooded lot, zoned SF-5000, has never been developed with single family homes. The site was originally developed by Battelle Memorial Research Institute in the 1960s as a research facility. 4000 Property LLC purchased the site in 2000 to house the Talaris Research Institute, which conducted research on early childhood development.

The site was the subject of a 2004 Environmental Impact Statement that contemplated expansion of Institute for Advance Studies uses on the site. Two single family plat alternatives, consistent with the underlying SF-5000 zoning, were also evaluated in that EIS.

In 2011, the Talaris Research Institute completed its research and the intellectual property was sold. A modest conference center use remains on the site.

4000 Property LLC has been looking for a long-term sustainable use for this property. The owner worked with philanthropic advisors and commercial real estate brokers to find another non-profit user but was unsuccessful. The code prohibitions on expansion of these uses, parking limitations, and the limited size of the facility, make the property uncompetitive for non-profit research tenants. Although the owner could develop the site with a single family plat, as allowed under existing zoning, this would eliminate the valued open space. For the past year, ownership has been exploring a Low Impact Residential development alternative that builds new multifamily units on existing foundations and on new foundations tucked near existing trees to provide effective screening and to preserve the bulk of the site's existing open space. This option would yield between 250 and 333 market rate apartments and townhouse units and a short plat for 8 single family residences.

The owner is committed to implementing the Low Impact alternative if the necessary changes to the Land Use Code can be approved in the near future.

SF 5000 Development Option

Before describing the Low Impact Residential development option and proposed text amendment in more detail, it is worth explaining the single family development option which is permitted under existing zoning.

As outlined in the 2004 FEIS, the property could be redeveloped into 90+ Single Family lots conforming to the existing single family standards. The site would require mass grading and excavation. Most of the mature trees and landscaping would be removed. The resulting development pattern would match much of the nearby blocks in Laurelhurst. Although this is not the preferred option, the plan shown would meet current zoning restrictions and critical area constraints and has a clearly defined permitting process.

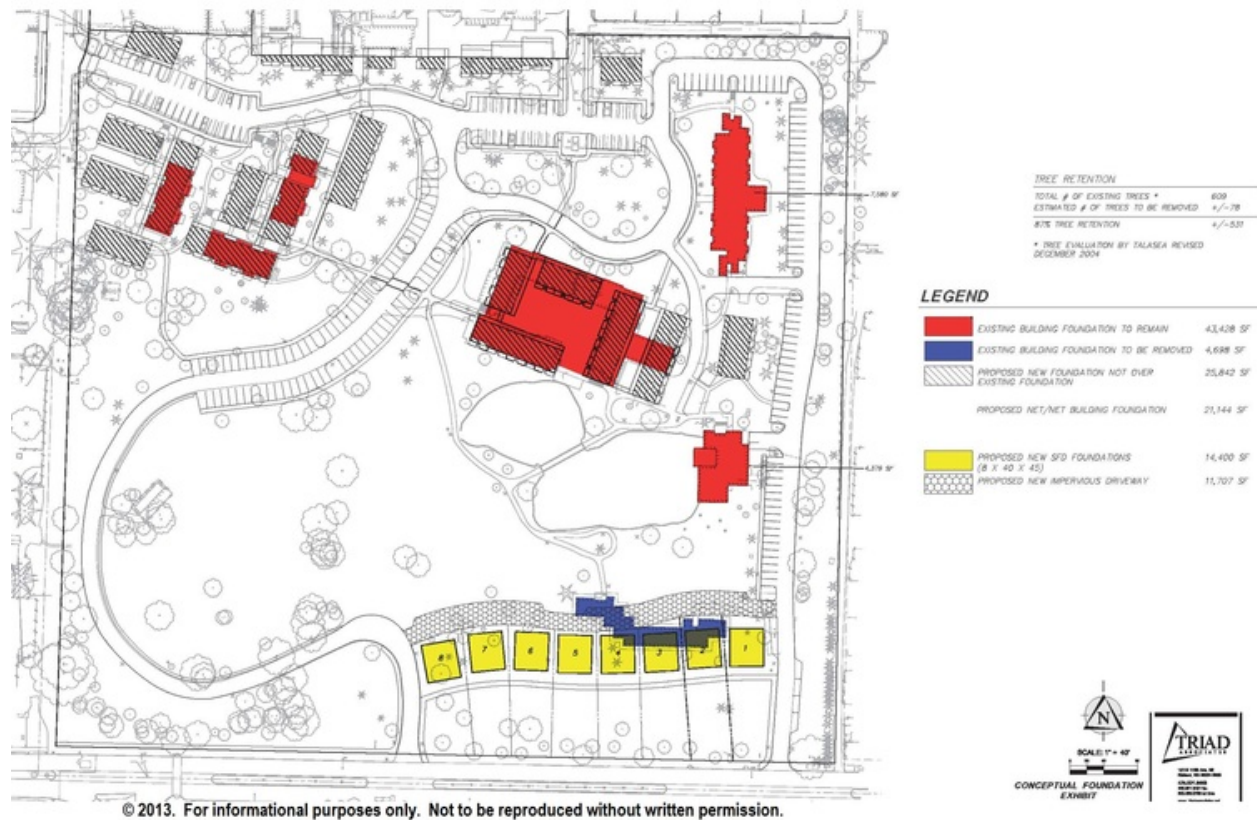


Low Impact Residential Option

The preferred Low Impact sustainable development alternative would re-use existing foundations and preserve the bulk of the site's existing open space. This option would yield between 250 and 333 market rate apartment and townhouse units and a short plat for 8 single family residences. The final size and distribution is not yet determined, but units as small as 330 square feet and as large as 1500 feet would be available. Smaller units could rent for less than \$1,000 while larger penthouse units could rent for up to \$4,000. As such, this neighborhood would offer housing for a mix of incomes with many units targeted at the local workforce housing market and individuals wishing to downsize from larger homes later in life. The primary objectives for this development plan are:

- Maintain the extensive open space and mature landscaping to preserve its natural beauty and to enhance walkability of the neighborhood.
- Provide a housing option for residents seeking to downsize, for employees wanting to be part of a walkable community, and for young families wanting to raise children in a safe and vibrant neighborhood.
- Make use of advanced conservation technology that would substantially conserve energy and natural resources.
- Make use of a substantial portion of the siding, beams and framing materials from the older structures repurposed into the new structures.
- Maximize retention of mature trees and native plants.
- Minimize new building footprints and impervious surfaces.

The goal would be to use virtually all of the existing infrastructure including building foundations, drainage, utilities, and roadways to minimize excavation and grading. Only minimal earthwork will be required for new building foundations in strategic locations. Coordinating redevelopment with the existing buildings along the NE 45th Street corridor would focus use intensity and vehicular access and parking at the northern edge of the property. Approximately 86% of the existing trees would remain intact with new residential buildings tucked into the mature tree canopy. Clear cedar building materials would be reclaimed and reused. The desire is that ongoing positive relations with neighbors would allow the current permissive use of the open space to continue.



The Low Impact neighborhood also incorporates into the development three properties to the north of the Talaris site along NE 41st Street. One of these properties is zoned NC2P-35 and the other two are zoned LR3. The development proposal would construct a two-level parking structure on the property now zoned LR3 with apartments over the central parking structure. The property with the NC2P-35 zoning would have a neighborhood commercial center with retail on the ground floor level and apartments or professional offices above. This structure has a single level underground parking garage to accommodate the neighborhood retail center. *See Graphics Boards, Attachment A, pg. 6.* The central garage would also serve the multifamily properties on the Talaris site. This garage allows the development to provide adequate parking to serve the entire neighborhood without mass grading and paving on the Talaris site itself for a parking structure. Although these properties north of the Talaris site are an integral part of the development plan, the text amendment only addresses the SF-5000 zoned Talaris site.

The Low Impact neighborhood also includes development of 8 single family home sites near the NE 41st Street side of the site. A future short plat would be submitted to establish these lots. Development and sale of these lots are critical to the overall economic viability of this project.

Community Involvement Efforts

In February 2012, 4000 Property's consultants began an outreach effort to solicit input from the Laurelhurst Community Club and other stakeholders in the neighborhood. Four meetings were held with officers of the Club. In addition, there was presentation at the

Laurelhurst Community Club's November 5, 2012 general meeting. Thereafter, neighbors of the site were invited to 9 community open houses to explain the plan and gather community input. Over 140 individuals from the community attended these meetings, which lasted up to four hours each. The graphic boards that were used in those 9 meetings are attached at Attachment A. These community discussions are continuing. A mailed notice was recently sent to 1580 residents in Laurelhurst inviting them to a series of topic-specific meetings. The first such meeting, a walking tour of the site where the location of proposed buildings were marked with paint and balloons, was attended by 35 individuals.

Based on the feedback we have received, we believe that this project can be supported by the majority of the surrounding community. As described below, having a development agreement as a component to the land use approval process has been viewed by some as a critical element in gaining acceptance. For that and other reasons, a development agreement has been incorporated into our proposed text amendment.

Why a Text Amendment and Future Land Use Map Amendment Are Needed

We reviewed the existing Comprehensive Plan and Land Use Code to explore the various options for obtaining entitlements for the Low Impact Residential proposal. Our analysis revealed that there is no existing land use process within the Land Use Code to approve such a development, even with the unique features and circumstances of this site and this proposal.

The Future Land Use Map designates this site Single Family. Land Use Policy 59 permits upzones of land with a single family designation only under specific conditions, none of which apply to this site.

LU 59 - Permit upzones of land designated single-family and meeting single-family rezone criteria, only when all of the following conditions are met:

- *The land is within an urban center or urban village boundary.*
- *The rezone is provided for in an adopted neighborhood plan.*
- *The rezone is to a low-scale single-family, multifamily or mixed-use zone, compatible with single-family areas.*
- *The rezone procedures are followed*

Section 23.34.011 of the Land Use Code similarly restricts rezoning of single family zoned property. The policy language in LU 59 and the code language in SMC 23.34.011 do not contemplate sites like this 18 acre largely undeveloped parcel located in a highly urbanized area of the City, which has never been developed with single family use, and on which is proposed a project that would preserve much of the open space and tree cover through clustering of multifamily buildings. LU 59 and SMC 23.34.011 prevent creative sustainable redevelopment of this site and without amending the Comprehensive Plan and this code section, this site will be platted like other single family blocks in Laurelhurst.

For this reason, we are requesting by this letter a text amendment to the single family rezone criteria and will be filing with the City Council an amendment to the Future Land Use Map in the Comprehensive Plan. These legislative actions, if approved, will allow the owner to apply for a contract rezone and development agreement that would establish the zoning and development standards to enable a project-specific development, implementing the Low Impact Residential alternative, to be submitted for approval.

The Importance of Our Proposed Development Agreement

We have included in our proposed text amendment a requirement to have a development agreement as part of any proposed contract rezone for several reasons.

A development agreement will give the city the ability to recognize the uniqueness of the site and impose development standards that allow a low impact approach and clustering of new multifamily buildings on many of the existing foundations thus preserving the balance of the site in current open space. It is for this reason that we have requested that buildings up to 47 feet in height be allowed so that four story buildings can be constructed on any of the existing foundations. As described above, given the site's unique topography and tree cover this height will not impact the surrounding single family zones that allow a maximum roof height of up to 35 feet.

The development agreement also gives both the City and neighbors long term assurance of what is going to be developed on site. Contract rezones with a Property Use and Development Agreement (PUDA) have a life of only two years. In a site of this scale, that is a very short development window. If a project does not proceed immediately under a PUDA, it can lose its entitlements.

A development agreement has terms set by Council in its approval. The development agreement can include detailed conditions for how the site will be developed regardless of when the development commences. It could address, for example, phased traffic mitigation, open space preservation and maintenance requirements. In this way, even if the development is delayed or phased over time, the City and neighbors will have a higher level of assurance that what was agreed to in the early stages will be followed through to the end. The development agreement is the best tool for the long term preservation of this site's open space areas for public enjoyment.

City policy in recent years has been moving towards recognizing that certain areas are uniquely situated as to benefit from a more sophisticated tool for evaluating projects. The provisions for Northgate Overlay at 23.71.020 and Station Area Overlays at 23.61.016 both recognize the City's existing authority under RCW 36.70B.170 to enter into development agreements. Both sections focus on allowing flexibility in certain development standards to achieve public policy goals. As is the case of the Northgate overlay and Station area overlays, development agreements are ultimately valuable tools for the City and the community to assure thoughtful, flexible and contractually binding development, which a contract rezone alone does not provide.

Facts Supporting Text Amendment

As described above, this site is unique. At 18 acres in size, it is one of the largest undeveloped, if not the largest tract of largely undeveloped Single Family zoned property within the City. This property was never platted into single family lots. Its only use has been for a nonconforming Institute for Advanced Study. The public has been allowed to enjoy the site and its park-like setting.

The location of the site makes it uniquely suited to multifamily residential development. It is close to major employers and has excellent access to transit and shopping. The property doesn't fit neatly into a category contemplated by the land use code rezone criteria for single family properties. It is highly urbanized within a few blocks of the site. The site itself borders Lowrise 3 and Neighborhood Commercial zoning to the north. The property is not in an area covered by a neighborhood plan, nor is it in an Urban Village area. If the code were to remain as is, the reasonable use for the site would be development of a large single family plat.

Although a plat would allow the construction of some 90 homes, given the land costs, it is quite likely each of the homes would sell for well above one million dollars. This would not serve the need for workforce and retiree housing units. It would not provide replacement units for the nearby apartments lost with the recent demolition of Laurelon Terrace. Further, the plat requirement for streets and alleys, front and rear yards, setbacks etc. would require mass grading of the site. This, in turn, would exchange the park-like setting for a series of standard single family blocks. For the owner, platting is a less desirable option, although it is what will be developed if the Low Impact Residential proposal cannot proceed.

Request to Expedite Text Amendment

The owner has taken the last year to carefully evaluate its options and work with the community to arrive at a viable Low Impact Residential option. It now needs to know, as soon as practicable, whether this alternative has the support of DPD, the community and the City Council.

Because the Comprehensive Plan amendment will not be considered for approval until March 2014 under the adopted process for such amendment requests, we are asking DPD to expedite its review of the proposed text amendment so that it can be considered by the City Council by the summer of 2013. This will allow DPD and the public to weigh in on, and for the City Council to act on, the first legislative component to this phased development plan. If the City Council denies the text amendment, the owner can withdraw the Comprehensive Plan amendment request and proceed with plat development. If this text amendment is approved, the owner can begin work on a contract rezone and development agreement application that will be ready to file if the Comprehensive Plan amendment is approved next March. This would place the project on schedule for a Master Use Permit application for development of the project in the fall of 2014 with construction in 2015.

We appreciate the opportunities we have had to date to explore ideas and options with you and your staff. We have also had an excellent dialogue with neighbors and community

leaders concerning this property. It is now time to move forward expeditiously and determine if the proposed approach for this unique site will receive the legislative approvals that are needed.

Please let me know if we can provide further information or otherwise assist in your Department's review of this proposed text amendment.


Very truly yours,

VAN NESS FELDMAN GORDON DERR

Brent Carson
Partner

A handwritten signature in black ink, appearing to read "Brent Carson", written over the printed name and title.

David Van Skike
Land Use Planner

A handwritten signature in black ink, appearing to read "David Van Skike", written over the printed name and title.

Attachment

Attachment B

The Talaris Property

Beginnings

1950s Property remained undeveloped as surrounding neighborhood built up

1960s Battelle purchased property for Seattle Research Center. Phase 1 buildings completed—Main Research Center and Apartments near 38th Ave right-of-way.

1971 Phase 2 buildings completed—perimeter parking lots, conference center and offices aligned with urban grid of neighboring streets.

1990s Battelle's active operation of the conference center ended in the late 1990s. Conversion to residential retirement facility proposed. Local residents opposed the plan, seeking to minimize density on the property.

2000 Present owners purchased the property and established Talaris Institute for Early Childhood Learning.



Present

- Talaris Institute for Early Childhood Learning no longer using facilities. Various tenants occupy offices.
- Conference center continues to operate, serving groups ranging from 5 up to 105 people each.
- The original landscape and buildings remain intact.
- Operations and site maintenance costs exceeding revenue.

Mutual Desires

- Preserve the character and distinct identity of the Laurelhurst community.
- To the extent possible, maintain the present aesthetics and open space.
- Allow informal use now enjoyed by Laurelhurst residents to continue.

Future

Our primary objectives for the Talaris property are:

- Maintain the extensive open space and mature landscaping to preserve its natural beauty and to enhance walkability of the neighborhood.
- Provide a housing option for residents seeking to downsize, for employees wanting to be part of a walkable community and for young families wanting to raise children in a safe and vibrant neighborhood.
- Achieve net-zero energy standards in all new buildings.
- Maximize retention of mature trees and native plants.
- Minimize new building footprints and impervious surfaces.



Preserve this legacy landscape or grade it into city blocks for 90 homes?

A vibrant mix of institutional, commercial & residential

TALARIS
Laurelhurst Neighborhood, Seattle

Talaris property + northern parcels = 14 city blocks



Five Natural Development Areas



Land Use Goals

- Work with sloping topography to emphasize outward and internal views.
- Preserve mature landscaping and sense of nature and privacy.
- Maintain public access to park-like grounds.
- Design new buildings to fit within their setting and the residential neighborhood.

Pod #1

Northwest corner Adjacent to Commercial

Tuck new structures under existing trees. Buffer nearby homes by preserving 38th Avenue right-of-way as undeveloped greenway.

Pod #2

NE 45th Street Redevelopment Area

Build central parking garage to maintain green space on the Talaris Property. Replace existing apartments with buildings more suitable to the Laurelhurst Neighborhood. Provide "boutique" specialty neighborhood center at corner. Gently blend commercial into residential. Soften the typical retail streetscape with generous setbacks and abundant landscaping.

Pod #3

Central Area

Preserve iconic ponds and landscaping. Build on existing raised platform surrounding garden court. Maintain views with lower buildings on south side.

Pod #4

The Gateway to Laurelhurst

Maintain overlook into the site. Maintain stand of trees and add walkway to enhance pedestrian connections. New single-family homes compliment the Laurelhurst Neighborhood.

Pod #5

The Conference Center

Preserve transition area between building and adjacent homes. Continue operation as "boutique" conference center.

Low Impact Residential Option

Preserving the character and natural beauty of the site



1. Buildings tucked under mature tree canopy



20. Residential above boutique retail



3b. Concomitant land-clearing softens steepness on NE 45th



3. Contaminants & contaminable Northwest decid

3. *Trachinotus* found as *Trachinotus* or *maculatus*

100



2017 Fall in Cambridge **Not to be reproduced without written permission**

Building Materials Reclaimed

- Aluminum standing seam roofing
- Interior cedar beams
- Smooth-faced cedar plank siding
- Textured and battered concrete foundation walls

Amenities & Habitat Preserved

- Mature trees
- Established landscaping
- Pond with fountains
- Key walking sightlines

Infrastructure Reused

- Existing roadways will be resurfaced
- Current underground utilities have sufficient capacity



4. Gateway times preserved by setting homes back

Low Impact Residential Option



Redeveloped retail with underground parking. View facing east into property from northwest corner where existing health club is located.



Redeveloped apartments with underground parking. View facing east along NE 45th Street from where existing Laurelhurst and Village Manor apartments are located.



Conceptual rendering of multifamily buildings located on existing foundations at center and west side of property.



Redeveloped apartments with underground parking. View facing southwest across NE 45th Street toward where existing Laurelhurst Apartments are located.

Single-family Residential Option

Clear and grade property to accommodate new streets, utilities and building lots



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Site graded and subdivided into 90+ single-family parcels

- Most trees removed
- Trees near eagle's nest and line of gateway trees along NE 41st Street protected
- Ponds and low areas filled with up to 10 feet of off-site material
- Existing landform bulldozed and graded into private single-family building lots

New Private roads, alleys and utilities

- Existing roadways, walkways and underground utilities replaced with private street network
- 38th Avenue right-of-way developed into standard city street

Open space converted to private yards

- Publicly-accessible park-like landscape converted to private yards with small pockets of open space

Compare and Contrast

Low Impact Residential*



Public use of site permitted
as ongoing courtesy

Single-Family Residential



Public use limited to sidewalks and roadways

557,642	Amount of Open Space (sf)	148,650
521	Number of Mature Trees	171
77,573	Building Footprint Area (sf)	170,000
155,568	Building Floor Area (sf)	270,000
44	Maximum Building Height (ft)	35
138,679	Amount of Impervious Surface (roads & parking)	162,160
100%	Utilities Re-Used	0%
minor	Earthwork Required	major
10**	Number of Property Owners	90+
3	Length of Construction (years)	7+

* For comparison, figures in left column pertain to Talaris site only

** Includes single-family homes along NE 41st Street

Note: All figures in chart above are best estimates as of January 2013

TALARIS

Laurelhurst Neighborhood, Seattle

What do you think about the options?



Do you support the Low Impact
Residential Option that preserves
the legacy landscape?

— or —



Do you prefer conversion of
the landscape to 90+ single-family
building lots?

Please submit a comment form and tell us what you think.

www.talarisliving.us

Timeline

- January** Small group meetings
- February** Open meeting with community
Advisory meeting with city staff
- March** Compile neighborhood preferences
- April** Decision by owners on path forward
Formal land use application with city

Where do you live?



TALARIS
Laurelhurst Neighborhood, Seattle

Legacy Landscape Preserved

These views would remain largely unchanged in Low Impact Residential option.

